

Next Meeting: June 2, 2004

10:00 a.m. – Thorburn Center – Ingham ISD (Rooms B and C)

SPECIAL EDUCATION ADVISORY COMMITTEE

Minutes of May 5, 2004, Meeting

10:00 a.m.

Present: Gloria Anderson (for Sue Rabidoux), Greg Bodrie, Patt Clement, Janice Fialka, Elaine High, Jill Jacobs, Patricia Keller, Linda Keway (for Ric Hogerheide), Jim Kubaiko, Paul Kubicek, Peggy McNeilly, Pam Mish, Ginny Palubin (for Lois Lofton Doniver), Anne Richardson, Deb Russell, Steve Schwartz, Jeff Siegel, Larry Simpson, Deb Todd, Don Trap, Randall VanGasse, Collette Ward
Ex-Officio Members: Mark Larson, Michele Robinson, Jacquelyn Thompson

Absent: Kathleen Clegg, Pansy Coleman, Cheryl Ervin, Sheri Falvay, Shari Krishnan, Lee Martin, Rosanne Renauer, Debs Roush

OSE/EIS Staff: Fran Loose, Patti Oates-Ulrich

Guests: Kendra Chalmers, Sandi Laham, Jerry Oermann, Bob Opsommer, Phyllis Rebori, Samantha Wood, Jon Wurdock

The meeting was called to order by Chairperson Larry Simpson.

Roll Call

Roll call was taken and a quorum was present.

Introduction of Guests

Guests attending the meeting were introduced.

Amend/Approve Proposed Agenda

The agenda of May 5, 2004, meeting was considered. Jeff Siegel moved, seconded by Paul Kubicek, to approve the agenda as written. The motion carried.

Amend/Approve Minutes

Anne Richardson asked for the minutes to reflect that the Chair withdrew her motion related to the autism definition. Ginny Palubin pointed out that her organization should be identified as the Michigan Federation of Teachers and School-Related Personnel rather than the Michigan Federation of School-Related Personnel.

The minutes of April 7, 2004, meeting were considered. Steve Schwartz moved, seconded by Pam Mish, to approve the minutes as amended. The motion carried.

Public Comment

None

Chairperson's Report – Larry Simpson

Larry Simpson presented on teacher efficacy and the achievement of students with disabilities in reading at the national CEC conference in New Orleans. The presentation went very well. Additionally, Larry learned at the conference that the over-identification of minorities in juvenile justice facilities is not just in Michigan, it is all across the country.

Janice Fialka's son is fully included at Oakland University and was on the cover of the Detroit Jewish News. Larry congratulated Janice and her son. Janice offered to bring her son to present to the SEAC on his experiences as he has done in other settings.

Larry Simpson reiterated the importance of signing in and completing an evaluation in order to obtain SB-CEUs.

State Reports – Jacquelyn Thompson

A. State Board of Education

The report developed by the Secondary Transition subcommittee on students with disabilities in adult correctional facilities is ready to go to the State Board of Education. The approval of nominations to SEAC is almost ready to go to the Board. The SEAC annual end-of-year report will be sent when it is completed. Additional points of approval have been added internally making the procedure for getting an item on the Board agenda slightly different. The Department can no longer guarantee on which agenda the items will be scheduled.

B. Department of Education

David Brock, Joanne Winkelman, Lauren Harkness, and the assistant attorney general assigned to Department of Education work are at the national LRP conference. Jacquelyn may not attend the June SEAC meeting as she will be just returning from a two-week trip to Europe to visit her son.

Last month, David Brock provided information on the outcome of the recent federal monitoring visit. The most significant issue is noncompliance with the 60-day conflict resolution timeline. At the end of next week, the Department will submit their complaint investigation logs to OSEP indicating compliance as required. Jacquelyn anticipates a conditional approval of the federal application and at least one year of quarterly reporting

to ensure compliance continues. Personnel shortages contributed to the non-compliance. Jacquelyn explained that the Department of Management and Budget places a cap on how many state employees each Department may have. After receiving permission, two complaint investigators were hired last fall and some local ISD complaint investigators are now contracted to assist the Department during evenings and weekends. In addition, internal procedures will be modified to maintain compliance with the 60-day timeline.

In response to a question raised by Gloria Anderson, Jacquelyn reported that the mediation project funded by the Department of Education has locations across the state. As the field becomes aware of the option of mediation and begins to believe it is worthwhile, an increase in mediations is occurring.

Fran Loose reported that the Universal Education Referent Group presented briefly before the State Board of Education and their report was well received. An additional State Board member, Marianne McGuire, has joined the referent group. The group meets again on May 6, finalizes a set of proposed principles and vision statement on June 30, and will submit to the Board its final work. Steve Schwartz asked for clarification of the groups that are a part of the Universal Education initiative in addition to special education. Fran responded that the focus is on marginalized groups including gifted and talented, bilingual, religious minorities, homeless, gay/lesbian/bisexual/transgender and others.

Information Items

None

Action Items

A. Recommendation to not pursue the mediation stay put provision

Elaine High moved, seconded by Ginny Palubin, to accept the motion as written. Pat Keller reported that the parents and staff she spoke to over the past month would prefer it not to be a dead issue. The motion did not carry. Jacquelyn Thompson explained that it is ultimately an administrative decision and that the Department will take the advice of the SEAC, along with that of the attorney general and the US Department of Education, under consideration. Jacquelyn will report back when a decision is made.

B. Autism definition

Several delegates reported the position of their organization concerning the title of this definition. Pat Keller expressed a desire to title it "Autism" and keep it separate from the subsidy issue. Gloria Anderson and Anne Richardson, along with many others, supported "Autism Spectrum Disorder" because it covers a range of disabilities. Bob Opsommer mentioned that title would reflect positively on students. Mark Larson stated that if it is the definition and not the title that is most important, this is an opportunity to support families and title it the way they want to. Steve Schwartz pointed out that the

understanding of autism has evolved over time and titling the document “Autism Disorders” may not help the general public realize that there have been changes in understanding of the disability. Jill mentioned that “Autism Spectrum Disorder” supports family understanding. Steve Schwartz moved, seconded by Gloria Anderson, that the SEAC recommend the approval of the definition as written. The motion carried. Steve Schwartz moved that SEAC not support the title “Autism Disorders” for Rule 1715. Steve withdrew the motion. Larry Simpson moved, seconded by Greg Bodrie, to accept the title “Autism Disorders”. The motion did not carry. Steve Schwartz moved, seconded by Deb Russell, to re-title Rule 1715 “Autism Spectrum Disorder”. The motion carried.

Bob Opsommer asked how the Department plans to handle the Family Support Subsidy issue that was raised in April’s meeting. Jacquelyn Thompson explained that Family Support Subsidy is not overseen by the Department of Education. Rather, it is tied to a placement in special education. Any changes to the administration of that program would require law changes and administrative changes. If the SEAC were interested in more information, Jacquelyn suggested that Sheri Falvay, the ex-officio representative from the Michigan Department of Community Health which oversees the Family Support Subsidy, present before the SEAC and be given the opportunity to hear from group on this issue. Discussion followed.

Ex-Officio Reports

Institutions of Higher Education – Mark Larson – The Institutions of Higher Education faculty has been working on rules defining the requirements for endorsement by colleges and universities. The goal is to have a document ready for public comment in August. In addition, an IHE group is exploring the issue of a general special education endorsement. Discussion followed.

Michigan Department of Community Health – Sheri Falvay – None

Michigan Department of Career Development/Rehabilitation Services – Lynn Boza – None

Family Independence Agency – Lee Martin – None

Committee Reports

Next year’s executive committee will consist of Patt Clement, Ric Hogerheide, Elaine High, Debs Roush, Steve Schwartz, and Larry Simpson. The seventh seat is to be determined after Larry Simpson converses with some write-in candidates about their willingness to serve on the executive committee.

Pam Mish announced that the general supervision subcommittee would not meet. Patt Clement announced that the school age subcommittee would meet to finish editing the NCLB document in light of suggestions made by the Committee of the Whole in the April meeting.

Larry Simpson reported that Jim Paris would present to the secondary transition subcommittee on transportation issues.

Member Issues

Deb Todd requested that Jacquelyn Thompson clarify the Department's position on speech and language therapy assistants being provided by individuals in schools. Jacquelyn responded that if there were a mechanism for individuals to be nationally endorsed, the Department would honor the role and reimburse for their services. However, the American Speech Language and Hearing Association, the group moving the national endorsement forward, withdrew it. Since no such national endorsement exists, the Department of Education cannot recognize it nor reimburse for it. Gloria Anderson elaborated that by law, anyone practicing in such a capacity is required to have a master's degree. Anyone practicing without the master's degree is practicing unethically and could be sanctioned and removed and any school employing someone in such a situation could be sued. Discussion followed.

Elaine High sent information via email on an upcoming conference. Jeannie Kincade is the keynote speaker and will give updates on ADA and 504. David Brock and Rosanne Renauer will also speak.

Janice Fialka announced that the Disability Pride March is scheduled in Chicago on July 18. She has a few flyers available for those interested.

Future Agenda Items

Jacquelyn Thompson reminded the group that Sheri Falvay could be invited to discuss Family Support Subsidy.

Steve Schwartz announced that Senator Buzz Thomas has agreed to attend the June SEAC meeting. Senator Thomas has sponsored legislation that would require every school district to develop an anti-bullying policy. He will present over lunch if he is able to arrive in time. If he cannot make it, he is invited to come in the fall.

Paul Kubicek moved, seconded by Steve Schwartz, to adjourn. The motion carried. The meeting was adjourned to subcommittee meetings.

Amanda Whitehead
Recording Secretary

SPECIAL EDUCATION ADVISORY COMMITTEE

Executive Committee
Minutes of May 5, 2004, Meeting
8:45 a.m.

Present: Sandi Laham, Fran Loose, Pam Mish, Patti Oates-Ulrich, Larry Simpson, Jacquelyn Thompson, Randall VanGasse

Absent: David Brock, Ric Hogerheide, Shari Krishnan, Debs Roush

Review of Today's Agenda

Jim Paris will present to the secondary transition subcommittee on transportation issues.

The autism definition is on the agenda. In light of the discussion that took place at last month's meeting, Sandi Laham asked how the executive committee planned to handle the anticipated lengthy discussion. Jacquelyn Thompson suggested entertaining a discussion, but emphasizing that the body of the document is what is most important, not the title. At Larry Simpson's suggestion, Jacquelyn will neutrally frame the discussion as such and Larry will limit it to fifteen minutes.

State Department Report

Fran Loose will give a brief update on the work of the Universal Education Referent Group. Jacquelyn Thompson will update the committee on Department of Education's progress in meeting the 60-day complaint resolution timeline and the new procedure for getting items on the State Board of Education agenda.

Subcommittee Reports

- A. General Supervision – Pam Mish reported that the subcommittee does not have any further work. Unless something is raised during the Committee of the Whole meeting, the subcommittee will not meet.
- B. Secondary Transition – Jim Paris will present.
- C. School Age – Patti Oates-Ulrich reported that the subcommittee will consider the NCLB paper and the questions raised by the Committee of the Whole at April's meeting and will edit the document today.

Future Agenda Development

Priorities for next year's SEAC will be discussed in June. Sandi Laham explained that priority setting is forecasting for next year in order to provide continuity between the exiting group and the new group. Some of the issues that might be considered at that time are bullying, the gap between state initiatives and the field, and issues surfaced by the work of the Universal Referent Group.

Other Issues

The results of the Executive Committee elections are in. Everyone on the ballot was voted onto the committee. There were several write-in candidates for the seventh seat. Larry will speak with those who received the most write-in votes and find out if they are willing to serve. The newly elected Executive Committee must make a recommendation as to the Chairperson and Vice-Chairperson for 2004-05. A conference call will be arranged in May so that the issue can be settled at the June meeting.

Jacquelyn Thompson explained that the Chair will not attend the OSEP conference this year as past Chairs have. She elaborated that she's been disappointed with the content of the last few OSEP conferences and will send the new Chair to a different conference to be determined at a later date.

The fall retreat will be held at Windingbrook Conference Center as St. Francis Retreat Center is unavailable on the weekend chosen.

Draft year-end reports are due from the subcommittees and from the Chair this month.